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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/880,694	06/13/2001	Richard McGrath	G04.007	4297

28062 7590 06/28/2005

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EXAMINER

CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 06/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/880,694

Applicant(s)

MCGRATH ET AL.

Examiner

Chongshan Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8/29/2002.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

1. Claims 1-20 are pending in this Office Action.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 29 August 2002 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 1-12, 19 and 20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

MPEP 2106 IV. B.2. (b)

A claim that requires one or more acts to be performed defines a process. However, not all processes are statutory under 35 U.S.C. 101. *Schrader*, 22 F.3d at 296, 30 USPQ2d at 1460. To be statutory, a claimed computer-related process must either: (A) result in a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled artisan, or (B) be limited to a practical application within the technological arts.

Claims 1-12, 19 and 20, in view of the above cited MPEP section, are not statutory because they merely recite a number of computing steps without producing any tangible result

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and/or being limited to a practical application within the technological arts. The use of a computer has not been indicated.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Weissman et al. (hereinafter “Weissman”, US 6,212,524 B1).

As per claim 1, Weissman discloses a method of aggregating and maintaining data in a system having at least a first and a second platform generating data, comprising:

receiving initial data from said first and said second platforms (Weissman, Fig. 1, element 110, “Source Systems” (col. 8, line 28 – col. 9, line 40);

generating a staging table based on said initial data (Weissman, Fig. 1, element 130, “Staging Tables”, col. 3, lines 1-48); and

associating standardized data with said initial data (Weissman, Fig. 1, col. 8, line 28 – col. 9, line 40).

As per claim 2, Weissman teaches all the claimed subject matters as discussed in claim 1, and further teaches generating a cross-reference table correlating said standardized data with

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initial data from said first platform and correlating said standardized data with said initial data from said second platform (Weissman, Fig. 1, col. 8, line 28 – col. 9, line 40).

As per claim 3, Weissman teaches all the claimed subject matters as discussed in claim 1, and further teaches receiving updated data from said first and said second platforms (Weissman, col. 20, lines 44-46).

As per claim 4, Weissman teaches all the claimed subject matters as discussed in claim 3, and further teaches comparing said updated data with data in said staging table (Weissman, col. 20, lines 44-46).

As per claim 5, Weissman teaches all the claimed subject matters as discussed in claim 4, and further teaches determining if said updated data includes new data (Weissman, col. 8, line 28 – col. 9, line 40).

As per claim 6, Weissman teaches all the claimed subject matters as discussed in claim 5, and further teaches setting a flag in said staging table; comparing said updated data with said standardized data; and determining if said standardized data should be updated to reflect said updated data (Weissman, col. 13, line 25 – col. 14, line 5).

As per claim 7, Weissman teaches all the claimed subject matters as discussed in claim 6, and further teaches wherein said determining indicates that said standardized data should be updated, the method further comprising: inserting said updated data as a new record in said standardized data; establishing a cross reference between said new record and said initial data (Weissman, col. 8, line 28 – col. 9, line 40).

As per claim 8, Weissman teaches all the claimed subject matters as discussed in claim 7, and further teaches resetting the flag (Weissman, col. 13, line 25 – col. 14, line 5).

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As per claim 9, Weissman teaches all the claimed subject matters as discussed in claim 6, and further teaches wherein said determining indicates that said standardized data should not be updated, the method further comprising: updating a cross-reference table correlating said standardized data with said updated data (Weissman, col. 8, line 28 – col. 9, line 40).

As per claim 10, Weissman teaches all the claimed subject matters as discussed in claim 5, and further teaches wherein said determining indicates that said updated data does not include new data, the method further comprising: determining if said updated data includes modified data; setting a flag in said staging table to indicate that said updated data includes modified data; and determining whether said standardized data should be updated (Weissman, col. 13, line 25 – col. 14, line 5).

As per claim 11, Weissman teaches all the claimed subject matters as discussed in claim 10, and further teaches wherein said determining indicates that said standardized data should be updated, the method further comprising: updating said standardized data; and resetting said flag in said staging table (Weissman, col. 13, line 25 – col. 14, line 5).

As per claim 12, Weissman teaches all the claimed subject matters as discussed in claim 10, and further teaches wherein said determining indicates that said standardized data should not be updated, the method further comprising: notifying said platform that said updated data has been rejected (Weissman, col. 13, line 25 – col. 14, line 5).

Claims 13-20 are rejected on grounds corresponding to the reasons given above for claims 1-12.

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Contact Information


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is (571) 272-4031.

The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chongshan Chen
June 20, 2005


JEAN M. CORRIELLUS
PRIMARY EXAMINER